IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 8592 of 2007(W)

PETITIONER:

JENCY YESUDAS, W/O. YESUDAS,
AGED 32 YEARS, PONNACHI HOUSE, PULLAR DESOM ROAD,
PALLURUTHY P.O., KOCHI-6.

BY ADV. SRI.DENIZEN KOMATH

RESPONDENTS:

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1. STATE OF KERALA, REP. BY
ITS SECRETARY, MINISTRY OF HOME AFFAIRS,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF POLICE,
COCHIN CITY, ERNAKULAM.

3. THE ASSISTANT COMMISSIONER OF POLICE,
MATTANCHERY.

4. THE SUB INSPECTOR OF POLICE,
PALLURUTHY KUSBA POLICE STATION, KOCHI.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J

W.P(C).No.8592 of 2007

Dated this the 26th day of June, 2007

JUDGMENT

The grievance of the petitioner is that no proper investigation has been conducted into Crime No.447 of 2006, which was registered on the basis of a private complaint filed by the petitioner before the learned Magistrate and which was referred to the police under Section 156(3) Cr.P.C. The report of the learned Magistrate shows that the final report has already been submitted and the same stands posted for orders after hearing the petitioner/the defacto complainant. The said proceedings stands posted to 30.06.2007 reports to the learned Magistrate.

2. I am, in these circumstances, satisfied that it isfor the petitioner to appear before the learned Magistrate and raise his objections if any against the final report submitted by the police after investigation. Needless to say that the learned Magistrate must consider the objections, if any, to be raised by the petitioner against such final report filed. Appropriate orders/directions must be issued by the learned Magistrate after hearing the petitioner.

3. This Writ Petition is, dismissed, with the above observations.

(R.BASANT, JUDGE)

rtr/-